

August 3, 2007

**Public Notice for Water Quality Certification and/or Waste Discharge
Requirements (Dredge/Fill Projects)**

Windsor Hampton Inn and Los Amigos Road Bridge Construction Project
WDID No. 1B04130WNSO

Sonoma County

On July 27, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Michael Josselyn of WRA Inc., on behalf of Mr. Ajaib Bhadare of Bhadare/White Windsor LLC (Applicant), requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Windsor Hampton Inn and Los Amigos Road Bridge Construction Project (Project) in Sonoma County. The proposed project causes disturbances to Waters of the United States and State associated with Windsor Creek which is tributary to Mark West Creek Sub Area No.114.23, Russian River Hydrologic Unit No.114.00.

An application for this project was originally received on September 13, 2004, and proposed construction of the hotel, restaurant, office/retail building and parking lot as described below. The original application differed from the current application in that it proposed the construction of a 100 foot long reinforced concrete box culvert extension within the bed of Windsor Creek and construction of parking over the extended box culvert. The Applicant since modified the project to reduce impacts to Windsor Creek, in response to comments from the Regional Water Board and National Marine Fisheries Service. At this time the application is considered incomplete. Completion of the application will be necessary prior to issuance of WDRs or Waiver of WDRs.

The proposed project is located at 9150 Brooks Road South, in the Town of Windsor. The assessor parcel number (APN) is 161-550-035. The latitude of the Project is 38°32'30" north, and longitude is 122°48'00" west. The purpose of the project is to construct a three-story, 116 guest room hotel, 6,000 square foot restaurant, and two-story, 8,550 square foot office/retail building, 220 parking spaces, and installation of a new bridge structure over Windsor Creek to accommodate the proposed realignment of Los Amigos Road. A 52 foot long precast concrete CON/SPAN arch will be installed where the new Los Amigos Road crosses Windsor Creek. The arch will be installed instead of a previously proposed reinforced concrete box culvert extension. Portions of the bridge work will be below the top of bank and above the ordinary high water mark. The CON/SPAN system will be constructed to avoid any disturbance to the creek bed below the ordinary high water mark. It consists of three basic elements—concrete strip footings, precast concrete arch, and precast concrete headwalls.

The strip footings will be installed in trenches carefully excavated on both sides of the creek above the ordinary high water mark. Excavation and construction of the footings will be done using equipment from the top of bank. Once the footings are in place, the precast sections of the concrete arch are set on footings with a crane. The last elements to be put in place are the headwalls, which are also placed with a crane. The entire natural stream bottom will be retained. Installation of the new arch will not require draining the project area as no work is proposed in the stream channel. The project engineer has investigated groundwater conditions at this site and determined that the groundwater is below the depth of excavation for the footings and no dewatering is expected as the work is occurring in the dry season. No discharge of water will occur to the creek during construction. The arch will impact approximately 68 feet along each bank of Windsor Creek.

Compensatory mitigation for the bridge structure will consist of replanting of native trees, shrubs and grasses in the riparian area of Windsor Creek adjacent to the Project. The revegetation plan must be submitted for approval to the Regional Water Board Executive Officer, prior to issuance of WDRs or Waiver of WDRs. In addition, the Applicant paid a fee in the amount of \$6085 in May 2004 to the Laguna De Santa Rosa Foundation (Foundation). This fee was determined by the California Department of Fish and Game (CDFG) to mitigate for riparian impacts associated with the originally proposed box culvert extension and was included in the Streambed Alteration Agreement issued for the project in March 2002. The Foundation applied the mitigation fee toward the Swale and Hummock Project, a Laguna de Santa Rosa stream enhancement project.

Non-compensatory mitigation will be achieved through the use of Best Management Practices (BMPs) as described in the submitted Stormwater Pollution Prevention Plan and through post-construction treatment of stormwater runoff from the parking lot. The Applicant will install a precast storm filter downstream from the last inlet in the storm drain leading to a storm drain outlet in existing riprap in the creek bank above ordinary high water.

The applicant applied for and received a California Department of Fish and Game Lake and Streambed Alteration Agreement on March 12, 2002, Notification Number R3-2001-1052. The Streambed Alteration Agreement was amended by CDFG on January 17, 2007 to recognize the proposed change from a box culvert to an arch and to extend the Agreement to December 31, 2011. The Town of Windsor, as the lead California Environmental Quality Act (CEQA) agency, has adopted a Mitigated Negative Declaration by Resolution 350-1, in March 2001, per CEQA guidelines.

Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you

have any questions or comments, please contact staff member Cathleen Goodwin at (707) 576-2687 or at cgoodwin@waterboards.ca.gov within 21 days of the posting of this notice.

The information contained in this public notice is only a summary of the proposed Project. The application for Water Quality Certification contains additional detail about the Project. The related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.